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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARYBefore the  
**Federal Communications Commission**

Washington, D.C. 20554

In re Applications of	)	MM DOCKET NO. 93-107
DAVID A. RINGER	)	File No. BPH-911230MA
ASF BROADCASTING CORPORATION	)	File No. BPH-911230MB
WILBURN INDUSTRIES, INC.	)	File No. BPH-911230MC
SHELLEE F. DAVIS	)	File No. BPH-911231MA
OHIO RADIO ASSOCIATES, INC.	)	File No. BPH-911231MC
For a Construction Permit for	)	
a New FM Station on Channel	)	
280A at Westerville, Ohio	)	

To: Honorable Walter C. Miller  
Administrative Law Judge

**PETITION FOR LEAVE TO AMEND**

David A. Ringer ("Ringer"), by and through counsel, and pursuant to §73.3522(b)(2) of the Commission's Rules (47 C.F.R. §73.3522(b)(2)), hereby submits a Petition For Leave To Amend and Amendment. In support whereof, the following is shown:

1. This amendment seeks to revise an error recently discovered in the Integration Statement that was included as Exhibit 4 to Mr. Ringer's original Westerville application and that was exchanged with counsel on May 10, 1993. During the Phase I comparative proceeding, opposing counsel were able to demonstrate that two of Mr. Ringer's residences were located slightly outside the 1 m/Vm contour of the proposed station. Upon discovering this fact, Mr. Ringer immediately confirmed it with the engineering consultant that had

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prepared the joint engineering in this proceeding and prepared the attached amendment.

2. This error was completely inadvertant and, upon discovering the error, Mr. Ringer quickly sought to amend his application. See Erwin O'Connor, 22 FCC 2d 140, 143 (1970). If this amendment is accepted, no modification of the issues or parties will be necessary. Id. Since rebuttal evidence was entered into the record on this point, acceptance of the amendment will not disrupt the orderly conduct of the proceeding nor will it unfairly prejudice any other applicant. Id. Finally, since Mr. Ringer is actually eliminating information from his application, he will not gain an unfair competitive advantage by the acceptance of this amendment. Id. Therefore, good cause exists for the acceptance of this amendment. Id.

**WHEREFORE**, the above-premises considered, David A. Ringer respectfully requests that his attached amendment be **ACCEPTED**.

**DAVID A. RINGER**

By: 

Arthur V. Belendiuk  
Shaun A. Maher

His Attorneys

**SMITHWICK & BELENDIUK, P.C.**  
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September 1, 1993

Before the  
**Federal Communications Commission**  
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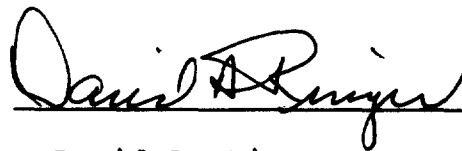
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Application of )  
 )  
DAVID A. RINGER ) File No. BPH-911230MA  
 )  
For Construction Permit for a new )  
FM Station at Westerville, Ohio )

**AMENDMENT**

David A. Ringer, an applicant for a new FM Station on Channel 280A at Westerville, Ohio (File No. BPH-911230MA), hereby submits the following amendment for purpose of correcting information contained in Exhibit 4 to his original application and page 2 of his Integration Statement concerning Mr. Ringer's record of local residence.

Executed this 31st day of August, 1993.

  
\_\_\_\_\_  
David A. Ringer

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AMENDMENT

Exhibit 4, Page 1 of Application Page 2 of Integration  
Statement

Delete references to 1000 Urlin Avenue, Columbus, Ohio and  
600 E. Town Street, Columbus, Ohio, under the heading of  
"Local Residency."

**CERTIFICATE OF SERVICE**

I, Lori Paige DiLullo, secretary in the law firm of Smithwick & Belendiuk, P.C., certify that on this 1st day of September, 1993, copies of the foregoing were mailed via first class mail, postage pre-paid, to the following:

The Honorable Walter C. Miller (\*)  
Administrative Law Judge  
Federal Communications Commission  
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(\*): By Hand Delivery

  
Lori Paige DiLullo